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8  
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 KEVIN FERNANDEZ,

12 Plaintiff,

13 v.

14 S. MOLLET, et al.,

15 Defendants.

Case No.: 3:16-cv-00366-MMD-WGC

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE  
(SECOND FINAL REQUEST)**

16 Defendants by and through its counsel of record, Adam Paul Laxalt, Attorney General of the  
17 State of Nevada, and Erin L. Albright, Deputy Attorney General, and Plaintiff, Kevin Fernandez, by  
18 and through his counsel of record, Joseph Reiff, Esq., hereby stipulate to extend the time to file the  
19 Stipulation and Order of Dismissal with Prejudice by one week.

20 On September 18, 2018, defense counsel provided plaintiff's counsel with the revised settlement  
21 agreement that reflected the majority of the changes requested by Plaintiff. On the same date,  
22 plaintiff's counsel provided the settlement agreement to the New Hampshire prison for delivery to  
23 Plaintiff.

24 On October 29, 2018, defense counsel received Plaintiff's requested changes to the revised  
25 settlement.

26 In early November 2018, the parties scheduled a conference call to finalize the terms of the  
27 settlement agreement. On November 13, 2018, the parties held a conference call and finalized the  
28 terms of the agreement. During this phone call, Plaintiff was advised that defense counsel would not

1 return to the office until November 26, 2018. After the phone call, the revised agreement was promptly  
2 provided to Plaintiff.

3 On November 20, 2018, while defense counsel was out of the office, Plaintiff sent an email  
4 requesting additional changes to the settlement agreement.

5 On November 26, 2018, defense counsel reviewed Plaintiff's requested changes defense counsel  
6 and Plaintiff's counsel have scheduled to discuss the revisions as some but not all of the revisions can  
7 be made. Since the requested revisions are minor, the parties believe no more than a week is required  
8 to execute the settlement documents.

9 Since the settlement documents must be filed today and the parties will not have time to discuss  
10 and finalize the requested changes, the parties respectfully request this Court extend the deadline to file  
11 the Stipulation and Order of Dismissal to December 3, 2018.  
12

13 DATED this 26th day of November, 2018.

14 PLAINTIFF, KEVIN FERNANDEZ

15  
16 By: /s/ Joseph Reiff  
17 Joseph Reiff, Esq.  
18 Representing, Plaintiff, Kevin Fernandez

DATED this 26th day of November, 2018.

OFFICE OF THE ATTORNEY GENERAL

By: /s/ Erin L. Albright  
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Attorneys for Defendants

21  
22 **IT IS SO ORDERED.**

23 DATED: November 27, 2018.

24  
25 

26 UNITED STATES MAGISTRATE JUDGE  
27  
28